

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

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| UNITED STATES OF AMERICA, |) | CASE NO. 1:06 CR 189 |
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| PLAINTIFF |) | JUDGE PETER C. ECONOMUS |
| |) | |
| |) | |
| v. |) | |
| |) | |
| |) | |
| |) | ORDER ACCEPTING PLEA |
| MICHAEL PAVLIK |) | AGREEMENT AND JUDGMENT |
| |) | |
| |) | |
| DEFENDANT. |) | |

This matter is before the Court upon the Report and Recommendation, see (Dkt. # 20), issued by United States Magistrate Judge James S. Gallas regarding the plea hearing and the plea agreement of Michael Pavlik, which was referred to the Magistrate Judge upon the consent of the parties.

On April 17, 2006, the Government issued an Information against the Defendant charging a violation of 21 U.S.C. § 841(a)(1),(b)(1)(c), and 846. See (Dkt. # 13).

The Defendant appeared before Magistrate Gallas on April 27, 2006 for an Arraignment and Plea Hearing, represented by counsel, Attorney John J. Ricotta. The Defendant thereafter entered a plea of guilty to Count 1. Magistrate Judge Gallas received the Defendant's guilty plea and issued a Report and Recommendation recommending that this Court accept the plea and enter a finding of guilty. See (Dkt. # 20).

Neither party objected to the Report and Recommendation during the ten days following its issuance.

This Court has engaged in a *de novo* review of the record and hereby adopts the Report and Recommendation. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. Consequently, this Court finds that the plea was entered knowingly, intelligently, and voluntarily.

The Court therefore approves the Defendant's plea of guilty. The Defendant is **ADJUDGED** guilty of Count 1 of the Information.

IT IS SO ORDERED.

/s/ Peter C. Economus - June 20, 2006

PETER C. ECONOMUS

UNITED STATES DISTRICT JUDGE